

REMARKS

The present application includes claims 1 and 3-10. Claims 1, and 4-10 stand rejected under 35 USC 102 as being anticipated by U.S. Patent No. 2,903,929, to McVey. Claim 3 stands rejected under 35 USC 103 as being unpatentable over McVey in view of U.S. Patent No. 5,826,908, to McBride. Applicant respectfully traverses these rejections, as applied to the amended claims.

The present application describes an accessory storage device having a body including portions defining at least part of a receiver into which an item to be stored is located. A clamping member is then moved from a position allowing the item to be received to a position such that the item is positioned between and in contact with both the clamping member and the receiver portion of the body. An actuator is pivotally operated to move the clamping member from one position to another. Prior to use of the actuator, the clamping member is in the first position. Once the actuator is pivoted, it applies a bias force to the clamping member thereby moving toward the second position in the absence the presence of a force overcome some or all of the bias.

Neither of the references describes or suggests such a device. The McVey reference discloses a threaded member for advancing a first clamping portion towards a second clamping portion, and a spring 30, 55 is positioned on each of the clamping portions. McBride discloses an apparatus having a plurality of clamps formed by first and second clamping plates that are moved toward and away from each other rotating a threaded member connected to a handle.

In the present application, independent claim 1 requires a body defining at least a first receiving slot, a clamping member movable between first and second positions, and an actuator “selectively pivotable to move” the clamping member toward the second position, and “to provide a clamping force to an item received between the body and the clamping member.” In contrast, the device of McVey does not disclose an actuator that is selectively pivotable, nor an actuator that provides a clamping force. The device of McVey requires rotating a threaded member, thereby requiring significantly more motion than the pivotable actuator of the present claim.

Nor does McVey disclose pivoting of an actuator to create the bias to force the clamping member towards the second position. In McVey, the clamping member is normally biased toward its opposing clamping member. In other words, movement of the actuator of McVey does not bias the clamping member, instead simply translating the clamping member towards its opposite mate. In order for the actuator to provide a bias by virtue of movement of the actuator, the clamping member must be relatively stationary by abutting either its opposite clamping member or an item therebetween. In such an instance, the actuator would not be capable of moving the clamping member from a first position to a second position, particularly a first position that permits a storage item to be received.

For at least these reasons, the McVey reference cannot anticipate the present claim 1, nor the claims dependent therefrom.

Claim 6 is also an independent claim requiring a body, a plurality of clamping members where the body and clamping members define a plurality of respective receivers for receiving

items therein, and "an actuator for selecting the position of each of the clamping members." The McVey reference fails to teach an apparatus having a plurality of receivers, a plurality of clamping members, a clamping member for each respectively receivers, and an actuator selecting the position of each clamping member. Accordingly, McVey cannot anticipate the present claim 6, nor its dependents.

Claim 4 is dependent from claim 1, therefore incorporating all the limitations of claim 1. As McBride also fails to disclose or suggest the above-described elements for claim 1, its combination with McVey fails to make obvious claim 4.


Conclusion

The cited references do not teach or suggest the limitations of the claims, as amended. Accordingly, it is respectfully requested that the present rejections be withdrawn, and a notice of allowance be issued.

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,

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